

REMARKS

1. Miscellaneous

The pending Office Action provides that Applicants have not complied with one or more of the conditions for receiving the benefit of an earlier filing date under 35 U.S.C. §120.

Applicants note that the published application Pub. No. U.S. 2003/0092867 A1, published on May 15, 2003, includes a claim of priority statement to U.S. Patent Application No. 09/242,525, filed on February 17, 1999. Applicants have amended the priority statement as provided to more clearly indicate the relationships between the referenced applications.

2. Response to Claim Rejections Under 35 U.S.C. §112, Second Paragraph

a. Claim 47

Claim 47 is rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regard as the invention.

The Office Action provides “Applicants have claimed that compound (ab) further includes a group selected from the group consisting of primary amino, secondary amino, and hydroxyl groups; however, it is unclear if this further group is present in addition to the active hydrogen referred to within claim 46.” A hydrogen of a primary amino or secondary amino group in claim 47 is an active hydrogen of compound (ab) in independent claim 46. Applicants have amended dependent claim 47 to correct the indefiniteness indicated in the Office Action.

Therefore, Applicants respectfully request the rejection of claim 47 under 35 U.S.C. §112, second paragraph, be withdrawn.

b. Claims 48 and 49

Claims 48 and 49 are rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regard as the invention.

The Office Action provides that Applicants have failed to define compound (j). Applicants have amended dependent claim 48 to define compound (j) as “having at least two isocyanate groups.” Support for this amendment is found in dependent claim 48, section (1), as originally filed.

Therefore, Applicants respectfully request the rejection of claims 48 and 49 under 35 U.S.C. §112, second paragraph, be withdrawn.

3. Response to Claim Rejections Under 35 U.S.C. §112, First Paragraph

a. Claims 46-50

Claims 46-50 are rejected under 35 U.S.C. §112, first paragraph, as failing to comply with the written description requirement. More specifically, the Office Action provides “adequate support has not been provided for the ‘greater than no’ language, added by the amendment of March 1, 2004.” In response, Applicants have deleted the “greater than no” language from claims 46, 48 and 50. Applicants assert that because claims 46, 48 and 50 state “having,” it is clear that the product or compound does have an active hydrogen or isocyanate group, the number of which is not zero.

The Office Action also provides that “with respect to the various reactive groups, it is unclear what is meant by the language, ‘having less than two and greater than no’. Is this simply a way of claiming one group or is it intended to somehow convey fractional values greater than zero but less than two?” The less than two language includes fractional numbers. Applicants note that the specification clearly supports this contention. The specification discloses “...product (N) having less than 2, preferably from 0.2 to 1.5 active hydrogen” (page 14 lines 5-6), “product (O) having less than 2, preferably from 0.2 to 1.5 isocyanate or isothiocyanate groups” (page 14, lines 15-16), “product (R) having less than 2, preferably from 0.2 to 1.5 active

hydrogen” (page 16, lines 15-16), “product (S) having less than 2, preferably from 0.2 to 1.5 isocyanate or isothiocyanate group” (page 16, lines 21-22), and “product (V) having less than 2, preferably from 0.2 to 1.5 active hydrogen” (page 19, lines 8-9).

Therefore, Applicants respectfully request the rejection of claims 46-50 under 35 U.S.C. §112, first paragraph, be withdrawn.

b. Claims 46 and 47

Claims 46 and 47 are rejected under 35 U.S.C. §112, first paragraph, as failing to comply with the enablement requirement.

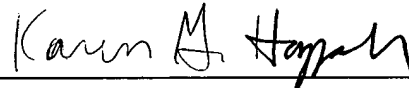
The Office Action provides “[i]t is unclear how compound (ab) having at least one active hydrogen is to react with the unsaturated carbonyl or nitrile compounds when the active hydrogen is present as a hydroxyl group.” In response, Applicants have deleted “hydroxyl groups” from claim 47.

Therefore, Applicants respectfully request the rejection of claims 46 and 47 under 35 U.S.C. §112, first paragraph, be withdrawn.

CONCLUSION

In light of the foregoing amendments and for at least the reasons set forth above, Applicants respectfully submit that all objections and/or rejections have been traversed, rendered moot, and/or accommodated, and that the now pending claims 46-50 are in condition for allowance. Favorable reconsideration and allowance of the present application and all pending claims are hereby courteously requested. If, in the opinion of the Examiner, a telephonic conference would expedite the examination of this matter, the Examiner is invited to call the undersigned agent at (770) 933-9500.

Respectfully submitted,



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